

Category:	Organization	Policy Number:	B-01
Title:	History		
Adopted:	January 9, 2018	Resolution:	18-01-02
Revision:	DRAFT		

The California Underground Facilities Safe Excavation Board was created by the Dig Safe Act of 2016 (Chapter 809, Statutes of 2016) to investigate accidents, develop excavation safety standards, and coordinate education and outreach programs.¹ *The Board was created within the Office of the State Fire Marshal and held its first meeting in January 2018. In January 2022, the Board transferred to the Office of Energy Infrastructure Safety pursuant to Senate Bill 865 (Chapter 307, Statutes of 2020), codified in Government Code section 4216.12(a).*

¹ Senate Floor concurrence statement of Senator Jerry Hill for SB 661, August 31, 2016, 10:35pm:

“Thank you Madame President. SB 661 revamps the state’s ‘Call-Before-You-Dig’ law for the first time since 1989 and is part of the Governor’s PUC reform package. The bill creates a stakeholder board in charge of investigating accidents, developing excavation safety standards, and coordinating education and outreach programs. SB 661 is the culmination of a multi-year stakeholder process involving gas and electric utilities, telecommunications companies, labor, agriculture, contractors, landscapers, county governments, petroleum companies, and others. I respectfully ask for your ‘aye’ vote members. Thank you.”

Monitoring Method: Board
Frequency: Biennial

Category:	Responsibilities and Accountabilities	Policy Number:	A-04
Title:	Accountability to the Legislature		
Adopted:	January 9, 2018	Resolution:	18-01-03
Revision:	January 13, 2020	Resolution:	20-01-03
	DRAFT		

The authority of the California Underground Facilities Safe Excavation Board comes from the people of California through their representatives in the Legislature. The Board is accountable to the Legislature in the following ways:

- Senate and Assembly appointees are accountable to their respective appointing houses to exercise the professionalism and good judgment befitting their positions.
- The annual Budget Act, which determines the authorized funding for the Board.
- Periodic legislative review, such as scheduled ~~for~~ *on or after* January 1, 2020, ~~or~~ *after-by and at least once every three years thereafter pursuant to* subdivision (c) of Government Code § 4216.12.
- The Annual Report to the Governor and Legislature, pursuant to Government Code § 4216.23.
- An inquiry by standing, sub-, and select committees with jurisdiction over the Board's activities, and inquiry by individual members. The inquiry may take the form of meeting requests, written requests for information, and informational and oversight hearings. The inquiry may come at any time and with little notice.

Monitoring Method: Staff
Frequency: Triennial

Category:	Compliance	Process Number:	C-01
Title:	Compliance with Legislative and Administrative Process Requirements		
Adopted:	January 9, 2018	Resolution:	18-01-04
Revision:	January 13, 2020	Resolution:	20-01-03
	DRAFT		

The policies and processes adopted by the Underground Facilities Safe Excavation Board are built upon the superstructure of existing legislative and administrative requirements which include, but are not limited to, the rulemaking and adjudication provisions of the Administrative Procedures Act, the Bagley-Keene Open Meeting Act, accounting and budgetary provisions of the State Administrative Manual, hiring and personnel requirements of the Department of ~~Personnel Management~~, ~~Human Resources~~, and the implementation of these various processes by the ~~Department of Forestry and Fire Protection~~. ~~Office of Energy Infrastructure Safety~~.

Monitoring Method: Staff
Frequency: Triennial

CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD

RESOLUTION No. 23-01-01

A RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD TO AMEND POLICIES B-01, A-04, AND C-01

Whereas the California Underground Facilities Safe Excavation Board has developed Policies subject to a schedule of regular review;

Whereas Senate Bill 865 (Chapter 307, Statutes of 2020) made several changes to the Dig Safe Act, including amendments to Government Code section 4216.12, which moved the Board to the Office of Energy Infrastructure Safety and subjected the Board to triennial Legislative Review by the appropriate policy committees of the Legislature;

Whereas the change to require triennial Legislative Review went into effect on January 1, 2021;

Whereas the change to move the Board to the Office of Energy Infrastructure Safety went into effect on January 1, 2022; and

Whereas Board policies need to be amended to reflect these statutory changes;

Be it resolved that the Board recognizes changes to the Board's history, accountability to the Legislature, and compliance regime created by SB 865, and amends and adopts Policies No. B-01, A-04, and C-01.

Date of Adoption: January 9, 2023

I hereby certify that the attached resolution is a true and exact copy of Resolution No. 23-01-01 adopted by the California Underground Facilities Safe Excavation Board on January 10, 2022: RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD TO AMEND POLICIES B-01, A-04, and C-01.

Tony Marino
Executive Officer

Chair

Date: January 9, 2023